

**ASSEMBLY BILL**

**No. 1689**

---

**Introduced by Assembly Member Conway**

February 13, 2014

---

An act to amend Section 1337.8 of the Health and Safety Code, relating to certified nurse assistants.

LEGISLATIVE COUNSEL'S DIGEST

AB 1689, as introduced, Conway. Certified nurse assistants.

Existing law provides for the certification of nurse assistants by the State Department of Public Health. Existing law requires the department to maintain a registry of all certified nurse assistants that includes their certification status and the status of any proposed or completed disciplinary actions.

This bill would require the department to post the registry on its Internet Web site and would require the department to include additional information in the registry, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 1337.8 of the Health and Safety Code is
- 2     amended to read:
- 3     1337.8. (a) ~~The state~~ department shall investigate complaints
- 4     concerning misconduct by certified nurse assistants and may take
- 5     disciplinary action pursuant to Section 1337.9.
- 6     (b) ~~The state~~ department shall maintain *and post on its Internet*
- 7     *Web site* a registry ~~that includes the certification status~~ of all

1 certified nurse assistants, ~~including the status of any proposed or~~  
2 ~~completed disciplinary actions. that includes, at a minimum, all~~  
3 ~~of the following:~~

4 (1) *The individual's name.*

5 (2) *Information necessary to identify the individual.*

6 (3) *The individual's certification status.*

7 (4) *The date the individual became eligible for placement in the*  
8 *registry through successfully completing the requirements of this*  
9 *article.*

10 (5) (A) *The following information on any finding by the state*  
11 *of abuse, neglect, or misappropriation of property by the*  
12 *individual:*

13 (i) *Documentation of the state investigation, including the nature*  
14 *of the allegation and the evidence that led the state to conclude*  
15 *that the allegation was valid.*

16 (ii) *The date of the hearing, if the individual chose to have one,*  
17 *and its outcome.*

18 (iii) *A statement by the individual disputing the allegation, if*  
19 *he or she chooses to make one.*

20 (B) *The department shall include this information in the registry*  
21 *within 10 working days of the finding and maintain the information*  
22 *in the registry permanently, unless the finding was made in error,*  
23 *the individual was found not guilty in a court of law, or the state*  
24 *is notified of the individual's death.*

25 (6) *The status and any related documents of any proposed or*  
26 *completed disciplinary actions or enforcement actions against the*  
27 *individual.*

28 (7) *The status of any appeals.*

29 (8) *Any written decisions prepared by an administrative law*  
30 *judge.*

31 (c) *The department shall remove entries for individuals who*  
32 *have performed no nursing or nursing-related services for a period*  
33 *of 24 consecutive months, unless the individual's registry entry*  
34 *includes documented findings of abuse, neglect, or*  
35 *misappropriation of property.*

36 ~~(e)~~

37 (d) *Long-term health care facilities, as defined in Section 1418,*  
38 *that hire certified nursing assistants shall consult the—state*

- 1 department's registry prior to hiring these individuals or placing
- 2 them in direct contact with patients.

O